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5 *Attorneys for Specially Appearing Defendants*
6 *Chicken Soup for the Soul Entertainment, Inc. and*
7 *TOFG, LLC*

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 DUSTIN NEFF, an individual
12 Plaintiff,

13 v.

14 SBA ENTERTAINMENT, LLC, a Colorado
15 Limited Liability Company; GOOD
ENTERPRISE SOLUTIONS INC., a Colorado
16 Corporation; CHICKEN SOUP FOR THE
SOUL ENTERTAINMENT, INC., a Delaware
17 Corporation; TOFG LLC d/b/a 1091, a
Delaware Limited Liability Company; and
18 DOES 1-10, Inclusive,

19 Defendants;

Case No.: 3:23-cv-02518-JD

The Honorable James Donato

**SPECIALLY APPEARING
DEFENDANTS CHICKEN
SOUP FOR THE SOUL
ENTERTAINMENT, INC.
AND TOFG, LLC'S
UNOPPOSED MOTION FOR
EXTENSION OF TIME TO
RESPOND TO FIRST
AMENDED COMPLAINT
[CIVIL L.R. 6-3(A)]**

(First Request)

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Pursuant to Civil L.R. 6-3(a), Specially Appearing Defendants Chicken Soup for
3 the Soul Entertainment, Inc. and TOFG, LLC (“Defendants’), by and through
4 undersigned counsel, hereby respectfully requests that the Court issue an order
5 enlarging the time for Defendants to respond to the First Amended Complaint (“FAC”)
6 (Doc. 38). Specifically, Defendants’ requests a thirty (30) day extension, which would
7 make Defendants’ response due by July 22, 2024.

8 Shortly after Defendants received a copy of the FAC and retained counsel, and
9 on the same day of learning when the response to the FAC was due, Defendants’ counsel
10 emailed and called Plaintiff’s counsel to request a stipulation to extend the deadline for
11 Defendants to respond to the FAC by thirty days. *See* Declaration of Nathan Dooley ¶
12 4. Plaintiffs’ counsel did not respond, but advised through their paralegal assigned to
13 this case that they would not oppose this Motion. *See id.* ¶ 5.

14 Defendants request this extension in order to have sufficient time to investigate
15 Plaintiff’s allegations, and to explore the potential for a resolution of this matter.
16 Defendants would be substantially harmed and prejudiced if it were required to respond
17 to the FAC without the opportunity to complete its initial investigation and to confer
18 with Plaintiff. Defendants are specially appearing to file this Motion in order to
19 preserve its jurisdictional defenses in this matter, including, among other things, its
20 defense for lack of personal jurisdiction and insufficient service of process.

21 There have not been any previous time modifications in this case, whether by
22 stipulation or by Court order, and extending the deadline for Defendants to respond to
23 the Complaint would not have any effect on the schedule for the case.

24
25 Dated: June 20, 2024

COZEN O’CONNOR
Nathan Dooley

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27 By: s/Nathan Dooley
Nathan Dooley
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*Attorneys for Specially Appearing
Defendants Chicken Soup for the Soul
Entertainment, Inc. and TOFG, LLC*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies, under penalty of perjury under the laws of the State of California that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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s/Nathan Dooley
Nathan Dooley